

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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JUN 20 2005 2:30:03

THOMAS J. COOPER  
CLERK

ALFRED FELICIANO,

Plaintiff,

v.

GLOBALWARE SOLUTIONS, INC. and  
GARY LORTIE,

Defendants.

Civil Action No. 04-12461-GAO

and

GLOBALWARE SOLUTIONS, INC.,  
and GARY LORTIE,

Third-Party Plaintiffs,

v.

JAMES R. BARTLETT,

Third-Party Defendant.

**JOINT STATEMENT PURSUANT TO LOCAL RULE 16.1(D)**

Pursuant to Local Rule ("LR") 16.1(D), the parties, through their counsel, conferred on June 14, 2005, and jointly submit the following statement:

**Proposed Agenda of Matters To Be Discussed**

Pursuant to LR 16.1(B)(1), the parties propose that the following issues be discussed during the Scheduling Conference:

1. proposed pre-trial schedule, including a plan for discovery;
2. schedule for pending dispositive motions;

3. consent to trial by Magistrate Judge;
4. consent to non-binding mediation pursuant to LR 16.4;
5. settlement; and
6. any other matters that the Court deems appropriate.

**Joint Proposed Discovery Schedule**

The parties have conferred with respect to the subjects on which discovery may be needed and agree that mandatory disclosures and discovery should be completed in accordance with the following Proposed Discovery Schedule:

- |   |                   |
|---|-------------------|
| 1. Initial Disclosures made as required by Fed. R. Civ. P. 26(a)(1) and LR 26.2(A):                                 | June 14, 2005     |
| 2. Deadline for Plaintiff's disclosures of expert witnesses and substance of expert opinions, if any:               | December 15, 2005 |
| 3. Deadline for Defendants' disclosures of expert witnesses and substance of expert opinions, if any:               | January 16, 2006  |
| 4. Deadline for completion of discovery, including depositions of fact and expert witnesses:                        | March 15, 2006    |
| 5. Deadline for filing and service of parties' dispositive motions, if any, including motions for summary judgment: | April 14, 2006    |
| 6. Deadline for submission of parties' opposition to dispositive motions, if any:                                   | May 5, 2006       |
| 7. Deadline for filing and service of motions for leave to file reply memoranda and reply memoranda, if any:        | May 12, 2006      |

No changes as to the limitations on discovery imposed under the Federal Rules of Civil Procedure or this Court's Local Rules are believed necessary at this time.

**Initial Motions**

The parties do not anticipate filing any initial motions prior to the taking of discovery, and the parties do not have any such motions outstanding.

**Settlement Proposal**

Plaintiff has submitted a written settlement demand as required by the rules.

**Consent to Non-Binding Mediation**

The parties do not consent to non-binding mediation pursuant to LR 16.4(C)(4).

**Consent to Trial By Magistrate Judge**

The parties have discussed the possibility of a trial before a United States Magistrate Judge, but do not consent thereto at the present time.

**Rule 16.1(D)(3) Certifications**

The parties have complied with Local Rule 16.1(D)(3). Each party separately will file the required certification to that effect.

Respectfully submitted,

ALFRED FELICIANO

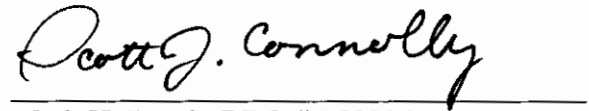
GLOBALWARE SOLUTIONS, INC. and  
GARY LORTIE

By his attorneys,

By their attorneys,



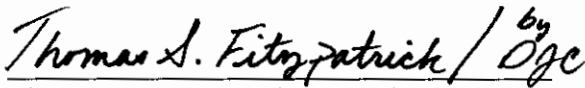
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JAMES R. BARTLETT

By his attorneys,

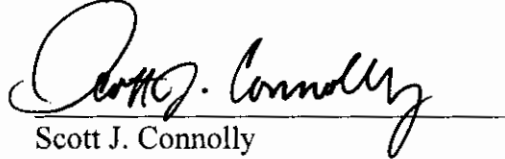


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Dated: June 17, 2005

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above document was served upon the attorney of record for each party by first class mail on June 17, 2005.

  
Scott J. Connolly